

Remarks

Further and favorable reconsideration is respectfully requested in view of the foregoing amendments and following remarks.

Initially, referring to the Interview Summary form attached to the Office Action, during the telephone interview with the Examiner on May 19, 2004, the Examiner indicated that a few more changes in the claims would be necessary before the application can be allowed. These changes involve correcting spelling errors in the names for the cyanobacteria in claims 22, 23 and 25. The Examiner also questioned the meaning of "consortium" in claim 26, and Applicants' attorney indicated that this refers to a combination of the cyanobacteria. The Examiner suggested that claims 26 and 27 should depend only on claim 21, but later seemed to agree that it appeared to be acceptable for claim 27 to depend on any one of claims 21-23. The Examiner indicated that she had to act on the case soon, and Applicants' attorney indicated that he would be away from the office the following week. It was agreed that the Examiner would issue an Office Action.

The spelling errors referred to by the Examiner in the third paragraph on page 2 of the Office Action have been corrected, except that *Nostocaceae* has been deleted from claim 23, along with *Chroococcaceae*. This is because neither of these families is specifically disclosed in the specification.

The claims have been amended in response to the rejection under the second paragraph of 35 U.S.C. §112, rendering this rejection moot.

Thus, referring to the Examiner's comments concerning claims 21 and 36, claim 21 has been amended to refer to concentrated raw brine in step (iv).

Referring to the Examiner's comments concerning "substantial" in claim 36, this claim has been amended to avoid this term, instead using language suggested by the Examiner in the last paragraph on page 2 of the Office Action, i.e. exposing the cyanobacteria to the concentrated raw brine for a time effective to remove calcium ions, and then exposing the cyanobacteria to delete brine for a time effective to remove the accumulated calcium ions.

Claim 26 has been amended to change "used" to --cultured-- as suggested by the Examiner.

Referring to the Examiner's comments concerning claims 27-29, antecedent basis has been provided by amending claim 21 to recite, in step (i), isolating the marine bacteria in pure form from

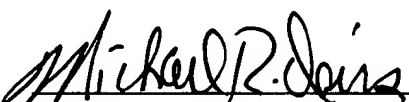
hyper-saline habitat and culturing the isolated cyanobacteria in brine, and claims 28 and 29 have been amended to refer to the isolated marine cyanobacteria.

With regard to the Examiner's comments concerning the antecedent basis of "the concentrated brine" in claim 34, this claim has been amended to refer to "the concentrated raw brine", referring back to the use of this term in claim 21 on which claim 34 depends.

Therefore, in view of the foregoing amendments and remarks, it is submitted that the rejection of claims 21-38 under 35 U.S.C. §112 has been rendered moot, and that the application is in condition for allowance. Such allowance is solicited.

Respectfully submitted,

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